



MEMORANDUM Agenda Item No. 7(N)(1)(A)

To: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

Date: June 8, 2004

From: George M. Burgess
County Manager

Subject: Appointment of
Replacement Member to
the South Miami-Dade
Watershed Plan Advisory
Committee

RECOMMENDATION

It is recommended that the Board of County Commissioners adopt the attached resolution approving my appointment of Mr. Carter McDowell to the South Miami-Dade Watershed Plan Advisory Committee.

BACKGROUND

Section 2-115.12, Code of Miami-Dade County, establishes the Advisory Committee for the South Miami-Dade Watershed Plan and states that each member shall be appointed by the County Manager and approved by the Board of County Commissioners. The Advisory Committee includes a representative of the building industry as one of its members.

The Builders Association of South Florida and the Latin Builders Association previously nominated Mr. Howard Nelson to represent the building industry on the Advisory Committee. Because Mr. Nelson resides in Broward County, his appointment to the Advisory Committee would require a waiver of the residency requirement contained in Section 2-11.38 of the Code of Miami-Dade County. At its April 20 meeting, the Government Operations and Environment Committee declined to grant the waiver and instructed the building industry to nominate a resident of Miami-Dade County.

Mr. Carter McDowell resides in Miami-Dade County, where he is currently employed by the law firm of Bilzin Sumberg Baena Price & Axelrod LLP. His years of experience with permitting issues and in the field of environmental law would be a valuable asset to the work of the Advisory Committee. Mr. McDowell's resume and nomination letter from the Builder's Association of South Florida are attached for your review.

Attachments

Assistant County Manager




MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: June 8, 2004

FROM: 
Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 7(N)(1)(A)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(N)(1)(A)
6-8-04

RESOLUTION NO. _____

RESOLUTION APPROVING THE APPOINTMENT
OF CARTER MCDOWELL TO THE SOUTH
MIAMI-DADE WATERSHED PLAN ADVISORY
COMMITTEE

WHEREAS, on December 4, 2001, the Board of County Commissioners adopted Ordinance No. 00-200, adding a building industry representative to the membership of the South Miami-Dade Watershed Plan Advisory Committee; and

WHEREAS, the building industry position on the Advisory Committee is currently vacant; and

WHEREAS, the County Manager wishes to appoint Mr. Carter McDowell as the building industry representative,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the County Manager's appointment of Carter McDowell to the South Miami-Dade Watershed Plan Advisory Committee as a representative of the building industry is hereby approved.

The foregoing resolution was offered by Commissioner _____,
who moved its adoption. The motion was seconded by Commissioner _____
and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson

Katy Sorenson, Vice-Chairperson

Bruno A. Barreiro

Betty T. Ferguson

Joe A. Martinez

Dennis C. Moss

Natacha Seijas

Sen. Javier D. Souto

Jose "Pepe" Diaz

Sally A. Heyman

Jimmy L. Morales

Dorrian D. Rolle

Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of June, 2004. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency. CNC

Craig H. Collier

By: _____
Deputy Clerk



Helping people realize their American Dream

May 12, 2004

Mr. Roger Carlton, Chairman
South Miami-Dade Watershed Task Force
c/o Miami Dade Planning and Zoning Department
111 NW First Street, 11th floor
Miami, FL 33128
Attention: Ms. Cindy Dwyer

Re: Change in Designated representative

Dear Mr. Carlton:

I am writing to advise you that Mr. Howard Nelson, Esquire, will no longer be the Builders Association of South Florida's (BASF) representative to this task force. The BASF is submitting the name of Mr. Carter McDowell, Esquire, to take this position immediately. His resume is attached for this purpose. Mr. McDowell will be representing both the BASF and the Latin Builders Association. I have received concurrence on Mr. McDowell's appointment from the Latin Builders Association executive vice president, William Delgado, as to the joint representation.

Please add Mr. McDowell's personal contact information into your file so that he can start receiving all documents and meeting notices immediately. I understand the County Commission will have to ratify Mr. McDowell's appointment, but he will be attending the meetings immediately. Thank you for your attention to this matter.

Sincerely,

Truly Burton

Truly Burton,
Government Affairs Director, Miami-Dade County

cc: Honorable Natacha Seijas, County Manager Burgess
W. Delgado, C. McDowell, C. Dwyer, J. Fleischer

Bilzin Sumberg Baena Price & Axelrod LLP



Carter N. McDowell

Partner

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cmcdowell@bilzin.com

Carter McDowell handles matters involving land use, growth management, environmental and administrative law. Mr. McDowell has represented numerous clients through regulatory approval procedures for regional malls, hotels, industrial complexes, professional buildings, marinas, including Developments of Regional Impact. He regularly advises clients on environmental and permitting issues relating to business and real estate transactions, and in obtaining and negotiating government contracts. He has defended owners and developers against enforcement actions filed under federal, state and local environmental law.

Mr. McDowell has appeared before the Governor and Cabinet of the State of Florida, Regional Councils, Water Management Districts, County and Municipal Commissions, and Federal, State and Local regulatory agencies. He has lectured extensively on environmental and land use law and has taught at the University of Miami School of Architecture.

Mr. McDowell has:

- Represented the Codina Group, Swerdlow Real Estate Group, and the Taubman Company in gaining all required governmental approvals for the development of the largest single mixed use project ever approved in Miami-Dade County, the Beacon Tradeport and Dolphin Mall DRI including; 1,556,900 million square feet of regional shopping mall; 5740 seats of multiscreen cinema; 160,000 square feet of office; a 100 room hotel; and 3,100,000 square feet of Industrial/warehouse space.
- Represented The Muss Organization and Turnberry Associates in gaining all required governmental approvals for the expansion of the Fontainebleau Hotel including: the 462 unit condominium hotel tower known as Fontainebleau II; and the 362 unit condominium hotel tower known as Fontainebleau III.
- Represented GB Hotel Partners in gaining all required

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governmental approvals for the Grand Bay Resorts and Residences DRI in Key Biscayne, Florida including; the Ritz Carlton Key Biscayne with 300 hotel rooms and 195 condominium hotel units; 412 Multifamily units; 57 single family homes.

- Represented Key Biscayne Ocean Club Ltd in gaining all necessary governmental approvals for the Ocean Club Key Biscayne DRI including 832 luxury high rise condominium units along with a beach club and other facilities on 52 oceanfront acres in Key Biscayne, Florida.
- Represented WCI Communities in gaining all required governmental approvals of the development of One Bal Harbour an ultra-luxury project in Bal Harbour, Florida containing 185 condominium units and a 124 unit 5 star boutique hotel.
- A former Director of Building, Zoning, and Community Development, Mr. McDowell has also served as Acting City Manager for the City of South Miami. He has provided pro bono assistance to, among others, the Stanley Myers Community Health Center and to the Miami Beach Housing Authority with their projects on Miami Beach. In his spare time, he enjoys sailing, fishing, diving, and travel to the North Carolina mountains.

Education

- Harvard College, B.A. (*cum laude*), 1975
- University of Florida, M.A. in Urban and Regional Planning, 1979
- University of Miami, J.D. (*cum laude*, University of Miami Law Review, member), 1986

Memberships

- American Institute of Certified Planners
- The American Planning Association

Publications

- Co-author, "Consistency after Machado," (The Florida Bar Journal, February 1989)
- "Civil Rights Considerations in Zoning," in Florida Environmental and Land Use Law (The Florida Bar, 1987)

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